

EXHIBIT 4

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6 Attorneys for Defendant, COUNTY OF
SAN BERNARDINO

7 UNITED STATES DISTRICT COURT
8
9 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

10 GALE SOSTEK; and HERB SOSTEK,
11 Plaintiffs,
12 vs.
13 COUNTY OF SAN BERNARDINO;
14 and DOES 1-10, inclusive,
15 Defendants.

Case No. 5:23-cv-02236-MRA (MRWx)

**NOTICE OF TAKING DEPOSITION
OF EXPERT WITNESS SCOTT
DEFOE AND PRODUCTION OF
DOCUMENTS**

Date: December 6, 2024
Time: 10:00 a.m.

Trial Date: January 28, 2025

17 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

18 **PLEASE TAKE NOTICE** that pursuant to the *Federal Rules of Civil Procedure*,
19 *Rule 26(b)*, Defendant will take the oral deposition of **SCOTT A. DEFOE** by remote
20 video, with the deponent and all other parties, as well as the reporter, appearing remotely
21 by video conference via computers to be located in any private, quiet, and well-lit place of
22 their choosing, and before a person duly authorized to administer an oath who shall not be
23 physically present with the deponent as follows:

24 DATE: December 6, 2024

25 TIME: 10:00 a.m.

26 PLACE: Remote Video

27 If for any reason the taking of the deposition is not completed on the scheduled date, it shall
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1 be continued from day to day, excluding Sundays and holidays until completed.

2 PLEASE TAKE NOTICE that pursuant to *Federal Rules of Civil Procedure 30(b)(2)*
3 the noticing party(ies) hereby also reserves the right to record the deposition testimony by
4 audio and video technology and/or stenographic method through the use of "realtime"
5 transcription.

6 NOTICE IS HEREBY GIVEN that deponent's deposition transcript may be the
7 official record and may be used in lieu of testimony at the time of trial of the above-entitled
8 action.

9 PLEASE TAKE NOTICE THAT each participating attorney may be visible to all
10 other participants, and their statements will be audible to all participants and will be subject
11 to recording.

12 PLEASE TAKE NOTICE THAT all exhibits will be provided simultaneously and
13 electronically to the witness and all participants.

14 PLEASE TAKE FURTHER NOTICE that if an interpreter is required, notice must
15 be given by deponent's counsel at least forty-eight hours in advance. No interpreter will
16 otherwise be provided.

17 PLEASE TAKE FURTHER NOTICE that the deponent is, pursuant to *Fed. R. Civ.*
18 *P. 45* requested to bring to the deposition the following items and documents:
19 A written resume or curriculum vitae of the witness.

20 1. The entirety of all file materials ever assembled or maintained by the witness
21 with respect to his evaluation of plaintiff's claims, or referring to his testimony in this case.

22 2. All records, reports and bills reviewed by the witness in connection with the
23 plaintiff.

24 3. All other writings and documents either referred to or relied upon by the
25 witness in the formulation of any of his opinion in this case.

26 4. All texts, articles, and other documentary material relied upon by the witness
27 in the formulation of his opinions in this case.

28 5. All bills, statements and other documents prepared or obtained by the witness

1 which reflect any and all charges rendered or to be rendered by him in connection with any
2 of his work or testimony on this case.

3 6. All writings and documents of any type which reflect the dates, times and
4 amount of time spent by the witness in connection with any and all work done by him on
5 this case.

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7 DATED: December 6, 2024 WESIERSKI & ZUREK LLP

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10 By: /s/Michelle R. Prescott
11 MICHELLE R. PRESCOTT
12 Attorneys for Defendants, COUNTY OF
13 SAN BERNARDINO and SAMUEL
14 FULLER
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